

**Assembly Bill No. 853**

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Passed the Assembly    September 9, 1999

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*Chief Clerk of the Assembly*

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Passed the Senate    September 8, 1999

\_\_\_\_\_  
*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 1999, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

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## CHAPTER \_\_\_\_\_

An act to add and repeal Article 5 (commencing with Section 37260) to Chapter 2 of Part 22 of the Education Code, relating to school finance, and making an appropriation therefor.

## LEGISLATIVE COUNSEL'S DIGEST

AB 853, Havice. School finance.

Existing law establishes a formula for the apportionment of funding to school districts based on units of average daily attendance. Existing law prohibits any school district, other than one newly formed, and those in certain emergencies, from receiving any apportionment based upon average daily attendance from the State School Fund unless it has maintained the regular day schools of the district for at least 175 days during the next preceding fiscal year. Existing law sets forth a method of providing school districts with financial incentives to lengthen the schoolday and lengthen the school year to 180 days or more of instruction.

This bill would establish the Extended School Day and School Year Pilot Program for the Bellflower Unified School District's Intensive Learning Center. The bill would require that in order to receive funding for the purposes of this program, the Intensive Learning Center have a schoolday of an average of 377 instructional minutes in grades 1 to 6, inclusive, and include 200 instructional days per school year.

The bill would require the Bellflower Unified School District to evaluate the effectiveness of this program in improving pupil academic outcomes and report its findings to the Office of the Legislative Analyst. The pilot program would become inoperative on July 1, 2002, and would be repealed on January 1, 2003.

The bill would appropriate \$270,000 for the 1999–2000 fiscal year from the General Fund to the State Department of Education for allocation of \$135,000 to the Bellflower Unified School District for the pilot project for



the 1999–2000 fiscal year and \$135,000 to the Alameda Unified School District for purposes of extending the school year in certain schools within that district for the 1999–2000 fiscal year. The bill would declare this appropriation to be General Fund revenues appropriated to school districts for the purposes of Section 8 of Article XVI of the California Constitution, and to be within the total allocations to school districts and community colleges from the General Fund proceeds of taxes appropriated pursuant to Article XIII B of the California Constitution.

The bill would declare that, due to the unique circumstances applicable to the Bellflower Unified School District’s Intensive Learning Center, and to the Alameda Unified School District, a statute of general applicability cannot be enacted within the meaning of subdivision (b) of Section 16 of Article IV of the California Constitution.

Appropriation: yes.

*The people of the State of California do enact as follows:*

SECTION 1. Article 5 (commencing with Section 37260) is added to Chapter 2 of Part 22 of the Education Code, to read:

Article 5. Extended School Day and School Year Pilot Program

37260. There is hereby established the Extended School Day and School Year Pilot Program for the Bellflower Unified School District’s Intensive Learning Center.

37261. In order to receive funding appropriated for the purposes of this article, the Intensive Learning Center in the Bellflower Unified School District shall meet the following requirements:

(a) The schoolday for pupils attending the Intensive Learning Center shall be an average of 377 instructional minutes in grades 1 to 6, inclusive.



(b) The school year for pupils attending the Intensive Learning Center shall include 200 instructional days in grades 1 to 6, inclusive.

(c) The Intensive Learning Center shall maintain open enrollment for residents of the school district pursuant to subdivision (b) of Section 35160.5.

37262. (a) The Bellflower Unified School District shall evaluate the effectiveness of this program in improving pupil academic outcomes and report its findings to the Office of the Legislative Analyst on or before January 1, 2003.

(b) The evaluation shall be based upon scores on statewide achievement tests and additional data that measures pupil achievement in meeting both state and school district performance and content standards.

37263. This article shall become inoperative on July 1, 2002, and as of January 1, 2003, is repealed, unless a later enacted statute that is enacted before January 1, 2003, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. (a) The sum of two hundred seventy thousand dollars (\$270,000) is hereby appropriated from the General Fund to the State Department of Education for allocation to the Bellflower Unified School District and the Alameda Unified School District, as follows:

(1) One hundred thirty-five thousand dollars (\$135,000) to the Bellflower Unified School District for the 1999–2000 fiscal year for purposes of Article 5 (commencing with Section 37260) of Chapter 2 of Part 22 of the Education Code.

(2) One hundred thirty-five thousand dollars (\$135,000) to the Alameda Unified School District for the 1999–2000 fiscal year for purposes of extending the school year to at least 200 days for schools within the district that have scored below the 50th percentile on the achievement tests administered pursuant to Section 60640 of the Education Code in the spring of 1998 and the spring of 1999.



(b) Funding for the 2000–01 and 2001–02 fiscal years for purposes of this section shall be subject to appropriation in the annual Budget Act.

(c) For the purpose of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to this section shall be deemed to be “General Fund revenues appropriated to school districts” as defined in subdivision (e) of Section 41202 for the 1999–2000 fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” of the California Constitution as defined in subdivision (e) of Section 41202 for the 1999–2000 fiscal year.

SEC. 3. The Legislature finds and declares that, due to the unique circumstances applicable to the Bellflower Unified School District’s Intensive Learning Center, and to the Alameda Unified School District, including the extended length of the districts’ school year and schoolday, a statute of general applicability cannot be enacted within the meaning of subdivision (b) of Section 16 of Article IV of the California Constitution.



Approved \_\_\_\_\_, 1999

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*Governor*

